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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	79088541
Applicant	EADS Deutschland GmbH
Applied for Mark	VAP
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Submission	Applicants Request for Remand and Amendment
Attachments	14379ReqforRemand.pdf ( 3 pages )(116923 bytes )
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Date	03/22/2012

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Application No.                    79/088,541  
Applicant                        : EADS Deutschland GmbH  
Filed                               : August 17, 2010  
Law Office                        : 101  
Examining Atty.                : C. Dombrow  
Docket No.                       : 056226.14379US  
Mark                                : VAP

**REQUEST FOR REMAND/AMENDMENT**

U.S. Patent and Trademark Office  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

Sir:

Applicant hereby requests that the Appeal filed January 12, 2012 be suspended and that the application be remanded to the Examining Attorney for reconsideration based on the following amendments to the goods of the application.

**Amendments to the Goods**

Please delete the goods of Class 10 and substitute the following therefore:

--parts for medical equipment, namely CT apparatus and MRI diagnostic apparatus;  
orthopedic articles, namely, orthopedic corsets, artificial extremities.--

Please delete the goods of Class 12 and substitute the following therefore:

--Parts of plastic fiber and resin materials for vehicles, in particular parts of plastic fiber and resin materials for aeronautical vehicles, lorries, passenger vehicles and racing cars, namely, structural parts; support structures for automobiles, airplanes and helicopters, namely, structural parts for automobiles, airplanes and helicopters; accessories of plastic fiber and resin materials for vehicles, namely, spoilers, roof racks, engine hoods; accessories of

plastic fiber and resin materials for vehicles, namely, bicycle frames and components in the nature of bicycle kickstands; accessories of plastic fiber and resin materials for vehicles, namely, motor bike frames and components in the nature of handlebars.--

Please delete the goods of Class 17 and substitute the following therefore:

--Goods and semi-finished goods of plastic fiber and resin materials, in particular containers or housing parts of plastic fiber and resin materials included in this class, namely, industrial packaging containers of rubber, industrial packaging containers for solid and liquid materials of rubber; goods and semi-finished goods of plastic fiber and resin materials, in particular containers or housing parts of plastic fiber and resin materials included in this class, namely, inflexible tubes.--

#### **Refusal to Register under Section 2(d)**

Registration of certain goods of Class 10 of this application were refused under Section 2(d) based on a likelihood of confusion with U.S. Registration No. 2,245,552, as indicated by the Examining Attorney in the denial of the Request for Reconsideration of February 2, 2012. The Applicant has deleted the goods of Class 10 to which the refusal applies. Applicant respectfully requests withdrawal of the refusal under Section 2(d).

#### **Objections to the Goods of Classes 12 and 17**

Additionally, the denial of the Request for Reconsideration included objections to the identification of goods of Classes 12 and 17. The goods of these two classes are hereby

amended to the suggestions provided by the Examining Attorney in the denial. Accordingly, the withdrawal of these objections is appropriate and hereby requested.

**Conclusion**

It is believed that all of the remaining issues have been addressed and that the application is in condition for publication. If there are any questions regarding this application, a telephone call to the undersigned would be appreciated.

Please credit any overpayment or charge any additional fees to the Deposit Account of Crowell & Moring LLP, Account Number 05-1323 (Docket No. 056226.14379US).

Respectfully submitted,

March 22, 2012

/William J. Sauers/

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